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UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

In Re:)	Case No: 2:17-bk-16936-leb
)	Chapter 13
ROBERT L. JOHNSON, JR. and)	
AZETTA A. JOHNSON,)	
Debtors.)	Hearing Date: August 2, 2018
)	Hearing Time: 2:30 p.m.

UNITED STATES' RESPONSE TO OBJECTIONS TO PROOFS OF CLAIMS

On June 26, 2018, Debtors filed their Objections (ECF Nos. 55 & 56) to Army & Air Force Exchange Services' ("AAFES") Proofs of Claims 18-1 and 19-1.

AAFES is an instrumentality of the United States. *Paul v. Army & Air Force Exch. Serv.*, 92 F.3d 1193 (9th Cir. 1996). Fed. R. Bank. P. 3007(a)(2)(A)(i) unambiguously requires that a debtor objecting to proofs of claims of the United States and its agencies must serve the United States "in the manner provided for service of a summons and complaint by Rule 7004(b)(4) or (5)." A debtor serves the United States by mailing a copy of the summons and complaint addressed to: (1) the civil process clerk at the office of the United States attorney for the district in which the action is brought, (2) the U.S. Attorney General in Washington, D.C. and, (3) the agency. *See* Fed. R. Bank. P. 7004(b)(4)-(5); *In re Scott*, 437 B.R. 376, 379 (9th Cir. BAP 2010).

Debtors failed to serve their objections on the United States as required by Rules 3007 and 7004. Accordingly, the Court should deny Debtors' objections to AFFES' proofs of claims.

Dated this 20th day of July 2018.

DAYLE ELIESON
United States Attorney

/s/ Lindsay M. Roberts
LINDSY M. ROBERTS
Assistant United States Attorney

PROOF OF SERVICE

I, Lindsay M. Roberts, certify that the **UNITED STATES' RESPONSE TO OBJECTIONS TO PROOFS OF CLAIMS** was served this date via the Court's Electronic Case Filing system.

Dated this 20th day of July 2018.

/s/ Lindsay M. Roberts
LINDSY M. ROBERTS
Assistant United States Attorney